

SENATE BILL No. 37

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-48-4-8.3.

Synopsis: Possession of paraphernalia. Removes possession of a "raw material" from the crime of possession of paraphernalia. Makes the knowing or intentional possession of paraphernalia a Class C misdemeanor, and increases the penalty to a Class A misdemeanor if the person has a prior unrelated judgment or conviction.

Effective: July 1, 2015.

Bray

January 6, 2015, read first time and referred to Committee on Corrections & Criminal Law.



First Regular Session 119th General Assembly (2015)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2014 Regular Session and 2014 Second Regular Technical Session of the General Assembly.

SENATE BILL No. 37

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-48-4-8.3, AS AMENDED BY P.L.158-2013,
2 SECTION 635, IS AMENDED TO READ AS FOLLOWS
3 [EFFECTIVE JULY 1, 2015]: Sec. 8.3. (a) A person who possesses a
4 ~~raw material~~, an instrument, a device, or other object that the person
5 intends to use for:
6 (1) introducing into the person's body a controlled substance;
7 (2) testing the strength, effectiveness, or purity of a controlled
8 substance; or
9 (3) enhancing the effect of a controlled substance;
10 in violation of this chapter commits a Class A infraction for possessing
11 paraphernalia.
12 (b) A person who knowingly or intentionally violates subsection (a)
13 commits a ~~Class A~~ **Class C** misdemeanor. However, the offense is a
14 ~~Level 6 felony~~ **Class A misdemeanor** if the person has a prior
15 unrelated judgment or conviction under this section.

